



EUROPEAN
COMMISSION

Brussels, 30.10.2014
C(2014) 7959 final

COMMISSION DECISION

of 30.10.2014

concerning the adoption of the financing decision for 2015 for the Union contribution to the European Fisheries Control Agency (EFCA), and to international fisheries organisations.

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concerning the adoption of the financing decision for 2015 for the Union contribution to the European Fisheries Control Agency (EFCA), and to international fisheries organisations.

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy¹, and in particular Article 35(1) thereof,

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC², and in particular Articles 29 (1), (2) and 30 thereof,

Having regard to Council Decision 81/691/EEC of 4 September 1981 on the conclusion of the Convention on the conservation of Antarctic marine living resources (CCAMLR)³,

Having regard to Council Decision 82/886/EEC of 13 December 1982 concerning the conclusion of the Convention for the Conservation of Salmon in the North Atlantic Ocean (NASCO)⁴,

Having regard to Council Decision 86/238/EEC of 9 June 1986 on the accession of the Community to the International Convention for the Conservation of Atlantic Tunas (ICCAT), as amended by the Protocol annexed to the Final Act of the Conference of Plenipotentiaries of the States Parties to the Convention signed in Paris on 10 July 1984⁵,

Having regard to Council Decision 81/608/EEC of 13 July 1981 concerning the conclusion of the Convention on Future Multilateral Cooperation in the North-East Atlantic Fisheries (NEAFC)⁶,

Having regard to Council Regulation (EEC) No 3179/78 of 28 December 1978 concerning the conclusion by the European Economic Community of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (NAFO)⁷,

Having regard to Council Decision 95/399/EC of 18 September 1995 on the accession of the Community to the Agreement for the establishment of the Indian Ocean Tuna Commission (IOTC)⁸,

¹ OJ L 128, 21.5.2005, p. 1.

² OJ L 354, 28.12.2013, p. 22

³ OJ L 252, 5.9.1981, p. 26

⁴ OJ L 378, 31.12.1982, p. 24

⁵ OJ L 162, 18.6.1986, p. 33

⁶ OJ L 227, 12.8.1981, p. 21

⁷ OJ L 378, 30.12.1978, p. 1

Having regard to Council Decision 98/416/EC of 16 June 1998 on the accession of the European Community to the General Fisheries Commission for the Mediterranean (GFCM)⁹,

Having regard to Council Decision 2002/738/EC of 22 July 2002 on the conclusion by the European Community of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean (SEAFO)¹⁰,

Having regard to Council Decision 2008/780/EC of 29 September 2008 on the signing, on behalf of the European Community, of the Southern Indian Ocean Fisheries Agreement (SIOFA)¹¹,

Having regard to Council Decision 2005/75/EC of 26 April 2004 on the accession of the Community to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC)¹²,

Having regard to Council Decision 2006/539/EC of 22 May 2006 on the conclusion, on behalf of the European Community, of the Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica (IATTC)¹³,

Having regard to Council Decision 82/461/EEC of 24 June 1982 on the conclusion of the Convention on the conservation of migratory species of wild animals (CMS)¹⁴,

Having regard to Council Decision of 3 October 2011 on the approval, on behalf of the European Union, of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (SPRFMO)(2012/130/EU)¹⁵,

Having regard to Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof¹⁶, in particular the Seabed Authority and the International Tribunal for the Law of the Sea,

Having regard to draft Recommendation for a Council Decision to authorize the signature and provisional application of the Exchange of Letters to obtain membership in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna (CCSBT) and the draft Recommendation for a Council Decision to conclude the exchange of letters to obtain membership of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) Extended Commission after having obtained the consent of the European Parliament¹⁷.

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union¹⁸, hereinafter referred to as the "Financial Regulation", and in particular Article 84(2) thereof,

⁸ OJ L 236, 5.10.1995, p. 24

⁹ OJ L 190, 4.7.1998, p. 34

¹⁰ OJ L 234, 31.8.2002, p. 39

¹¹ OJ L 268, 9.10.2008, p. 27

¹² OJ L 32, 4.2.2005, p. 1

¹³ OJ L 224, 16.8.2006, p. 22

¹⁴ OJ L 210, 19.7.1982, p. 10–10

¹⁵ OJ L 67, 6.3.2012, p.1

¹⁶ OJ L 179, 23.6.1998, p. 1

¹⁷ Membership of the CCSBT Convention is under ratification and until it comes into force the negotiating mandate remains effective.

¹⁸ OJ L 298, 26.10.2012, p. 1.

Having regard to Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union¹⁹, and in particular Article 94 thereof.

Whereas:

- (1) In order to ensure implementation of the Commission contribution to the European Fisheries Control Agency (EFCA), and of the compulsory contributions to the international fisheries organisations, it is necessary to adopt a financing decision and the work programme for 2015.
- (2) It is appropriate to authorise the payments of the compulsory contributions to the International Organisations of which the European Union is a member according to the terms of Article 121 (2) (d) of the Financial Regulation. This Decision should allow for the payment of interest due for late payment on the basis of Article 92 of the Financial Regulation and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (3) For the application of this Decision, it is appropriate to define the term 'substantial change' within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012.

HAS DECIDED AS FOLLOWS:

Article 1 *The work programme*

The work programme for the implementation of the Commission contribution to the European Fisheries Control Agency (EFCA), and of the compulsory contributions to the international fisheries organisations for 2015, as set out in the Annex, is adopted.

The work programme annexed hereto constitutes a financing decision within the meaning of Article 84 of the Financial Regulation.

Article 2 *Union contribution*

The maximum contribution for the implementation of the programme for the year 2015 is set at EUR 14 647 000, and shall be financed from the following lines of the general budget of the European Union for 2015:

(a) budget line 11 03 02 Promoting sustainable development for fisheries management and maritime governance in line with the CFP objectives (Compulsory contributions to international bodies): 5 430 000 EUR

(b) budget line 11 06 64 European Fisheries Control Agency : 9 217 000 EUR

The appropriations provided for in the first paragraph may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the European Union draft budget for 2015 after its adoption by the budgetary authority or as provided for in the system of provisional twelfths.

¹⁹ OJ L 362, 31.12.2012, p. 1.

Article 3
Flexibility clause

Cumulated changes²⁰ to the allocations to specific actions not exceeding 10% of the maximum contribution set in Article 2 of this Decision shall not be considered to be substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, where those changes do not significantly affect the nature of the actions and objective of the work programme.

The authorising officer responsible may adopt the changes referred to in the first paragraph in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 30.10.2014

For the Commission
Maria DAMANAKI
Member of the Commission

²⁰ These changes can come from assigned revenue made available after the adoption of the financing decision.



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ANNEX 1

ANNEX

to the

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Control Agency (EFCA), and to international fisheries organisations.

1. OTHER ACTIONS

1.1. BUDGET HEADING 11 03 02

1.1.1. Contributions to international organisations

Compulsory contributions by the European Union to the budgets of the international fisheries organisations and contribution by the European Community to the fisheries section of the Food and Agriculture Organisation of the United Nations (FAO).

Subject: European Union's active participation in international fisheries organisations responsible for the long-term conservation and sustainable exploitation of marine fisheries resources:

Legal basis:

- CCAMLR [Council Decision 81/691/EEC of 4 September 1981 on the conclusion of the Convention on the conservation of Antarctic marine living resources (OJ L 252, 5.9.1981, p. 26)],
- NASCO [Council Decision 82/886/EEC of 13 December 1982 concerning the conclusion of the Convention for the Conservation of Salmon in the North Atlantic Ocean (OJ L 378, 31.12.1982, p. 24)],
- ICCAT [Council Decision 86/238/EEC of 9 June 1986 on the accession of the Community to the International Convention for the Conservation of Atlantic Tunas, as amended by the Protocol annexed to the Final Act of the Conference of Plenipotentiaries of the States Parties to the Convention signed in Paris on 10 July 1984 (OJ L 162, 18.6.1986, p. 33)],
- NEAFC [Council Decision 81/608/EEC of 13 July 1981 concerning the conclusion of the Convention on Future Multilateral Cooperation in the North-East Atlantic Fisheries (OJ L 227, 12.8.1981, p. 21)],
- NAFO [Council Regulation (EEC) No 3179/78 of 28 December 1978 concerning the conclusion by the European Economic Community of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (OJ L 378, 30.12.1978, p. 1)],
- IOTC [Council Decision 95/399/EC of 18 September 1995 on the accession of the Community to the Agreement for the establishment of the Indian Ocean Tuna Commission (OJ L 236, 5.10.1995, p. 24)],

- GFCM [Council Decision 98/416/EC of 16 June 1998 on the accession of the European Community to the General Fisheries Commission for the Mediterranean (OJ L 190, 4.7.1998, p. 34)],
- SEAFO (South-East Atlantic Fisheries Organisation) [Council Decision 2002/738/EC of 22 July 2002 on the conclusion by the European Community of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean (OJ L 234, 31.8.2002, p. 39)],
- SIOFA (Southern Indian Ocean Fisheries Agreement) [Council Decision 2008/780/EC of 29 September 2008 on the signing, on behalf of the European Community, of the Southern Indian Ocean Fisheries Agreement (OJ L 268, 9.10.2008, p. 27)],
- Western Central Pacific Fisheries Commission (WCPFC, ex-MHLC) [Council Decision 2005/75/EC of 26 April 2004 on the accession of the Community to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (OJ L 32, 4.2.2005, p. 1)],
- Inter-American Tropical Tuna Convention (IATTC) [Council Decision 2006/539/EC of 22 May 2006 on the conclusion, on behalf of the European Community, of the Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica (OJ L 224, 16.8.2006, p. 22)],
- South Pacific Regional Fisheries Organisation: [Council Decision of 3 October 2011 on the approval, on behalf of the European Union, of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (2012/130/EU), (OJ L 67, 6.3.2012, p.1)],
- CMS [Council Decision 82/461/EEC of 24 June 1982 on the conclusion of the Convention on the conservation of migratory species of wild animals (OJ L 210, 19.7.1982, p. 10–10)],
- Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof (OJ L 179, 23.6.1998, p. 1), in particular the Seabed Authority and the International Tribunal for the Law of the Sea.
- Draft Recommendation for a Council Decision to authorize the signature and provisional application of the Exchange of Letters to obtain membership in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna (CCSBT) and the draft Recommendation for a Council Decision to conclude the exchange of letters to obtain membership of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) Extended Commission after having obtained the consent of the European Parliament.

Amount: € 5 430 000

(estimated amounts – final amounts are subject to international negotiation)

CCAMLR	120 000
NASCO	250 000
ICCAT	1 300 000
NEAFC	800 000

NAFO	100 000
IOTC	600 000
GFCM	650 000
SEAFO	100 000
SIOFA	100 000
WCPFC	400 000
CCSBT	100 000
IATTC	300 000
SPRFMO	400 000
CMS (Convention Migratory Species)	10 000
ITLOS (International Tribunal for the Law of the Sea)	100 000
ISBA (International Sea-Bed Authority)	100 000

1.2. BUDGET HEADING 11 06 64

EUROPEAN FISHERIES CONTROL AGENCY (EFCA) – CONTRIBUTION TO TITLES 1, 2 AND 3.

Legal basis: Article 35(1) of Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy (OJ L 128, 21.5.2005, p. 1).

Subject: The subsidy is intended to cover the Agency's staff and administrative expenditure and operating expenditure. The European Fisheries Control Agency was created by Council Regulation (EC) n° 768/2005 of 26 April 2005. Its mission is defined in Article 3. The agency has been operational since 2007. Its estimated budget for 2015 is conform to the draft budget proposed by the European Commission and shall be voted during the Administrative Board to be held on 17 October 2014

Amount: € 9 217 000 (corresponding to an appropriation of € 8 957 000 and an amount of € 260 000 coming from the recovery of surplus).